

41. (New) The method of claim 38, wherein said coating has an area weight of less than about 10 g/m<sup>2</sup>.

42.(New) A method of coating a substrate, said method comprising releasing a hot melt adhesive that has been thermally made flowable from a coating device in the form of a substantially continuous film without contact between said coating device and a substrate; and

contacting the surface of a substrate comprising a substantially nonporous moving web with said continuous film to form a coated substrate having a continuous coating having an area weight less than about 30 g/m<sup>2</sup>,

said coated substrate being essentially free of entrapped air between the coating and the substrate.

43. (New) The method of claim 42, wherein said coating has an area weight of less than about 10 g/m<sup>2</sup>.

44.(New) The method of claim 1, wherein said nonporous substrate comprises a release coated roller.

#### Remarks

Claims 1, 6 and 10 have been amended. Claim 22 has been cancelled. Claims 37-44 have been added. Support for new claims can be found in general throughout Applicants' Specification and in particular, for example, as follows: claim 37, original claim 26; claims 38 and 39, page 11, lines 15-20; claims 40 and 41, page 6, line 30; claim 42, original claim 21 and page 11, lines 12-15; claim 43, original claim 22; claim 44, page 8, lines 16-21.

Applicants submit that the enclosed certified copy of German priority document 19753266.7 perfects Applicants' claim for priority to DE 19753266.7 under 35 U.S.C. § 119(b), and respectfully request acknowledgement of the same.

The claims stand subject to the following restriction requirement: Group I, claims 27-36, and Group II, claims 1, 6, 10, 15, 16, 19, 21-23 and 26. Applicants confirm their election to prosecute the claims of Group II with traverse.

Regarding the rejection of claim 16 under 35 U.S.C. § 112, second paragraph, Applicants direct the Examiner to the Abstract of Applicants' Application wherein Applicants disclose that paper is one example of a nonporous substrate. Although at some level paper may exhibit porosity, Applicants have characterized paper as being within the group of nonporous substrates. Claim 16 thus satisfies the requirements of 35 U.S.C. § 112, second paragraph. Applicants submit, therefore, that the rejection of claim 16 under 35 U.S.C. § 112, second paragraph is unwarranted and request that it be withdrawn.

Claims 1, 6, 19, 21 and 22 stand rejected under 35 U.S.C. § 102(a) over Bayer, Jr. et al. (WO 97/15722) ("Bayer et al.").

Bayer et al. discloses a method of applying a hot melt polymer on a substrate that includes extruding a composition from a slot nozzle to from a strip of adhesive. The slot used in the example of Bayer et al. included a first opening measuring 2.9 cm long by 0.051 cm wide and a second opening measuring 3.175 cm long by 0.0254 cm wide.

Claim 1 has been amended to include the limitation of claim 22. Accordingly, claim 1 now recites a coating weight of less than about 10 g/m<sup>2</sup>. Bayer et al. do not teach a coating weight of less than about 10 g/m<sup>2</sup>. The calculation set forth at page 4 of the outstanding Office action appears to be based upon the assumption that the composition of Bayer et al. is coated on the entire surface area of the paper substrate, which is described as being 30.5 cm in width. The slot nozzle used in the example of Bayer et al. is described as having a first opening measuring 2.9 cm long by 0.051 cm wide and a second opening measuring 3.175 cm long by 0.0254 cm wide. Nothing in the Bayer et al. reference teaches that the compositions that are released from the slot nozzle are coated across the entire surface area of the paper substrate. Thus, the calculation set forth in the Office action is based upon an unsupported assumption. Applicants submit, therefore, that the rejection of claim 22, now claim 1, under 35 U.S.C. § 102(a) over Bayer et al. is unwarranted and request that it be withdrawn. There being no further rejection of claim 22, now claim 1, Applicants respectfully request allowance of claim 1.

Claims 19 and 21 are dependent upon claim 1 and are patentable under 35 U.S.C. § 102(a) over Bayer et al. for at least the same reasons set forth above in distinguishing claim 1.

Applicants submit that the amendment to claim 6, which added the word “web” to the claim, renders moot the rejection of claim 6 under 35 U.S.C. § 102(a) over Bayer et al. and request that the rejection be withdrawn.

Applicants submit that the above-described amendment to claim 1 renders moot the rejection of claims 1 and 16 under 35 U.S.C. § 102(b) over Ohtsuki et al., U.S. Patent No. 4,407,689, and request that the rejection be withdrawn.

Claims 10, 15 and 23 stand rejected under 35 U.S.C. § 102(b) over Werenicz et al. (WO 96/25902).

Claim 10 has been amended to recite “a nonporous substrate,” which renders moot the rejection of claims 10, 15 and 23 under 35 U.S.C. § 102(b) over Werenicz et al.. Werenicz et al. Accordingly, Applicants request that the rejection of claims 10, 15 and 23 under 35 U.S.C. § 102(b) over Werenicz et al. be withdrawn.

Claim 37, which is original claim 26 rewritten in independent form, stands rejected under 35 U.S.C. § 103 over Bayer et al. in view of Werenicz et al.

Claim 37 recites a method of coating, wherein a hot melt adhesive, which has been thermally made flowable, is released from a coating device onto a substantially nonporous substrate as a substantially continuous coating without contact between the coating device and the substrate, and subsequently disposed upon the surface of the substrate, the distance between the coating device and the substrate ranging from about 0.5 mm to 500 mm.

Bayer et al. do not teach the distance their coating device is positioned from the applicator roller. Werenicz et al. do not cure the deficiencies of Bayer et al. The coating apparatus illustrated in Fig. 1 of Werenicz et al. is positioned in a generally horizontal relationship to the web being coated, whereas the coating device in Bayer et al. is positioned in a vertical relationship to the applicator roller on which the composition of Bayer et al. is being coated. There is nothing in Werenicz et al. to suggest that the distances suitable for the Werenicz et al. process illustrated in Fig. 1 would be suitable for use in the process of Bayer et al., which applies a coating onto an applicator roller

from a vertical position. Accordingly, the skilled artisan would not think to combine Werenicz et al. with Bayer et al. in the manner proposed in the Office action. Applicants submit therefore, that the rejection of claim 26, now claim 37, under 35 U.S.C. § 103 over Bayer et al. in view of Werenicz et al. is unwarranted and request that it be withdrawn.

The claims now pending in the application are in condition for allowance and such action is respectfully requested. The Examiner is invited to telephone the undersigned if a teleconference interview would facilitate prosecution of the above-captioned application.

Please charge any fees or credit any over payments to Deposit Account No. 06-2241.

Respectfully submitted,

Date: April 17, 2002

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## **MARKED-UP COPY OF THE AMENDED AND NEW CLAIMS**

1.(Amended) A method of coating, wherein a hot melt adhesive, which has been thermally made flowable, is released from a coating device onto a substantially nonporous substrate as a substantially continuous coating without contact between said coating device and said substrate, and subsequently disposed upon the surface of said substrate at a coating weight of less than about 10 g/m<sup>2</sup>.

6.(Amended) A method of coating, wherein a hot melt adhesive, which has been thermally made flowable, is provided in the form of a substantially continuous nonporous film without contact of the film with a substrate, and said film is then disposed upon a release-coated substrate comprising a web and is then transfer-coated onto a second substrate.

10.(Amended) A method of coating, wherein a thermoplastic material, which has been thermally made flowable, is provided in the form of a substantially continuous nonporous film without contact of the film with a substrate and said film is then coated onto a nonporous substrate, said coating having a complex viscosity of less than about 500 poise at about 1000 radians/sec at the coating temperature.

37.(New) A method of coating, wherein a hot melt adhesive, which has been thermally made flowable, is released from a coating device onto a substantially nonporous substrate as a substantially continuous coating without contact between said coating device and said substrate, and subsequently disposed upon the surface of said substrate, the distance between the coating device and the substrate ranging from about 0.5 mm to 500 mm.

38.(New) A method of coating a substrate, said method comprising releasing a hot melt adhesive that has been thermally made flowable from a coating device in the form of a substantially continuous film without contact between said coating device and a substrate;

contacting the surface of a moving substrate comprising a substantially nonporous web with said continuous film to form a coated substrate having a continuous coating; and

subsequently contacting the exposed surface of said continuous film of said coated substrate with a roller.

39.(New) The method of claim 38, wherein said coated substrate is essentially free of entrapped air between the coating and the substrate.

40. (New) The method of claim 39, wherein said coating has an area weight of less than about  $10 \text{ g/m}^2$ .

41. (New) The method of claim 38, wherein said coating has an area weight of less than about  $10 \text{ g/m}^2$ .

42.(New) A method of coating a substrate, said method comprising releasing a hot melt adhesive that has been thermally made flowable from a coating device in the form of a substantially continuous film without contact between said coating device and a substrate; and

contacting the surface of a substrate comprising a substantially nonporous moving web with said continuous film to form a coated substrate having a continuous coating having an area weight less than about  $30 \text{ g/m}^2$ ,

said coated substrate being essentially free of entrapped air between the coating and the substrate.

43. (New) The method of claim 42, wherein said coating has an area weight of less than about  $10 \text{ g/m}^2$ .

44.(New) The method of claim 1, wherein said nonporous substrate comprises a release coated roller.